

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Clarence T. Fox, Jr.,)	
)	C/A No. 2:06-cv-1785-GRA-RSC
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	(Written Opinion)
John J. LaManna, and R. McLafferty,)	
)	
Defendant.)	
_____)	

This matter comes before the Court on Plaintiff's Motion for Reconsideration, filed on February 9, 2007. On November 29, 2006, Plaintiff filed a motion seeking a continuance to complete discovery before responding to the defendants' motion for summary judgment. (See Docket Entry #29). Judge Carr issued an Order on December 20, 2006, denying Plaintiff's motion for continuance. (See Docket Entry #31). On January 12, 2007, Plaintiff filed a renewed motion for continuance (see Docket Entry #36), and this motion was also denied. (See Order, January 30, 2007; Docket Entry #43). Before the Court is Plaintiff's Motion for Reconsideration of Judge Carr's order denying Plaintiff's renewed motion for a continuance. This present motion is being considered by the Court as an appeal of Judge Carr's previous orders denying Plaintiff's motions for continuance. For the reasons stated below, Plaintiff's motion is denied as moot.

Plaintiff brings this claim *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *Boag v. MacDougall*, 454 U.S. 364, 365(1982).

On March 7, 2007, Judge Carr held a motion hearing in this matter. At this hearing, Defendants' Motion for Summary Judgment was withdrawn. Plaintiff's present motion seeks reconsideration of an order denying him a continuance to conduct discovery before having to respond to Defendant's summary judgment motion. Since the summary judgment motion at issue in Plaintiff's motions for continuance has since been withdrawn, this Court is of the opinion that Plaintiff's motion for reconsideration is now moot.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration is hereby DENIED as MOOT.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

March 16, 2007
Anderson, South Carolina